

**Statement of Civil Society on the Global Compact on Safe, Orderly, and Regular Migration (GCM) in
advance of the Sixth and Final Round of Negotiations**

July 9, 2018

Members of civil society, including migrant networks across regions, gathered on Sunday, July 8, 2018, to reflect on the GCM negotiations, and to look at the issues at stake and to envision the next phase of mobilization as you complete your negotiations this week. This statement is a result of these deliberations and our on-going commitment to improving the lives of communities on the ground.

Since its start in 2016, civil society has been engaged in the GCM process and has continually pushed for a number of improvements in areas of key importance to our common objective of leaving no one behind across both Global Compacts deliberations. The moment has come for us to reflect on the overall scope and substance of the document and our role in implementing and building a new paradigm for migration governance.

First, we thank you all for your dedication to this process. We regret that a negative political narrative surrounding human mobility has been a context in which the Global Compact on Migration process has taken place. We appreciate your efforts to embrace a fact-based premise for deliberations and we will continue to firmly insist that migrants and refugees are understood not as threats but as contributors to societies.

We reiterate our commitment to substantive engagement in the GCM process and implementation, it being the first global governance framework on migration. We are cognizant of the fact that the final document will reflect the compromises reached in the process of seeking consensus amongst Member States.

With this statement we present our final observations, concerns and recommendations as you conclude intergovernmental negotiations. We consider a positive disposition of the issues outlined below, as necessary to the success and integrity of the Compact, and to the actuation of safe, orderly and regular migration. These are the issues we will continue to mobilize around as we move forward in this process and in our work with migrants, communities and with you, States, at all levels.

- **Regular and Irregular Status for Migrants.** People, regardless of their legal status, possess human rights that entitle them to certain freedoms, including access to justice, as well as to labour rights, information, shelter, health-care, education, and civil registration. The GCM cannot include a distinction between regular and irregular migrants, in a manner inconsistent with international human rights law, international labour standards, other international obligations, and the letter and spirit of the New York Declaration, Agenda 2030, and the Compact itself. It should also reflect the existing good practice of formal regularization mechanisms for migrants who have lived in a country for a given number of years, irrespective of the cause of their irregular status.
- **Non-Refoulement of Migrants.** For clarity, simplicity and removal of doubt as to whether the GCM sanctions any regression from non-derogable elements of international human rights law and a weakening of customary international law, we urge Member States to restore the term ‘non-refoulement’ in the text of the Compact, thereby reinforcing commitment to established international standards.
- **Migrants in Vulnerable Situations.** We urge Member States to maintain language throughout the Compact that ensures that migrants in vulnerable situations enjoy full human rights protections, consistent with UN-approved international human rights instruments. Specifically, we insist on the

critical importance of avoiding any weakening of protections for victims of natural disasters and climate change, as the Global Compact on Refugees does not address either of these situations adequately.

- **Right to Privacy With Regard to Migrants Personal Information.**

While we would prefer the reinstatement of firewall language to the text, we cannot support the removal of language, which protects the privacy of migrant's personal information to prevent it from being used for enforcement purposes. Breaching this privacy amounts to a violation of the human right to have access to certain social services, as it would deter irregular migrants from registering for these services. It also would discourage migrants from participating in data collection efforts, which are vital in estimating migrant populations and in creating humane and proportional policy responses and can impede service providers' ability to effectively carry out their work.

- **Criminalization of Migrants and Those Who Assist Them.**

We are strongly against any changes to the language in Objective 8 and 9, which would criminalize migrants who cross an international border in search of safety or opportunity, and weakens access to humanitarian assistance. The GCM should also be explicit in its rejection of the criminalization of entities that demonstrate solidarity and provide support to irregular migrants.

- **Working to End Child Immigration Detention.** We strongly call on Member States, in working to end child immigration detention, to ensure the availability and accessibility of non-custodial, community-based alternatives to detention. We also favour the inclusion of references to national or regional initiatives to guarantee such alternatives are readily implementable.

- **A Robust Implementation, Review, and Follow-Up Mechanism.** We strongly support a robust implementation, review follow-up and performance improvement mechanism that ensures accountability, transparency, practical progression and support to Member States in their national implementation efforts. Civil society requests a fully mandated partnership role in these efforts as well as a role in monitoring progress, both at the national, regional and international levels.

And to close, in our view nothing in the Compact reduces the obligation of Member States to honour their current commitments under international human rights law. Indeed, if "migration management" is to be effective, not only must it be credible to states, but must also be credible to migrants.

While these recommendations do not represent the totality of our concerns, we believe they are essential to ensuring that the GCM upholds the human rights of all migrants and ensures their safety and well being across the globe.

As always, we will be present with you during the negotiations this week and stand ready to work with you to advance these elements. Most importantly, we urge you to move them forward in the implementation phase of the compact, and, in so doing, encourage you to think long-term and aspirational in your efforts, as we will continue to do in the months and years ahead.

Signatories

- 21st Century Community Empowerment for Youths and Women Initiative
- ACT Alliance
- Action Secours Ambulance (ASA)
- Africa Media Association Malta
- Africa Solidarity Centre Limited (Africa Centre Ireland)
- Africa Unite (AU)
- Africa-Europe Diaspora Development Platform (ADEPT)
- African Foundation for Development (AFFORD)
- African Youth Commission (AYC)
- Afrique Culture Maroc
- AFRUCA - Africans Unite Against Child Abuse
- Agricultural Missions, Inc
- Alianza Americas
- Asabe Shehu Yar'dua Foundation (ASYARF)
- Asia Pacific Mission for Migrants (APMM)
- Asia Pacific Refugee Rights Network (APRRN)
- Asian Human Rights and Culture Development Forum (Asian Forum)
- Association des Jeunes pour le Developpement AJD/PASTEEF
- Association des Travailleurs Immigrés au Maroc ATIMA
- Association of Health, Environment and Socio-Cultural Development (PROSAUDESC)
- Asylum Access
- Atikha Overseas Workers and Communities Initiatives Inc
- Awaj Foundation
- Bangladesh NGOs Network for Radio and Communication
- Brot für die Welt (Bread for the World)
- Campaign For Government of International Unity in Africa
- Caritas France
- Caritas Internationalis
- Caritas Sweden
- International Organization for Educational Development - IOED
- International Presentation Association
- International Youth Association for Training and Inter-employment Programs (TIP)
- Istituto Internazionale Maria Ausiliatrice - IIMA
- Joint Committee with Migrants in Korea (JCMK)
- Kapo Seba Sangha (KSS)
- Kindness Andhra Migrants Center
- Kirikou maroc
- Kopin (Koperazzjoni Internazzjonali - Malta)
- Le collectif des communautés subsahariennes au Maroc CCSM
- Legal Support for Children and Women (LSCW)
- LIDE Foundation
- Loretto Community—Sisters of Loretto
- MAP Foundation (Migrant Assistance Program)
- Media Response
- Medibuero Kiel e.V.
- Mesa Tecnica de Migraciones-Bolivis
- Methodist Church of New Zealand Te Haahi Weteriana o Aotearoa (MCNZ)
- Metropolis Asia
- Migration and Humanitarian Actions Office (MHAO)
- Mixed Migration Centre
- Mouvement d'Action pour le Renouveau Social (MARS)
- Muhammad Naseer Khan
- Multiplic Vistos
- National Council of Churches in Bangladesh
- National Council of Churches in the Philippines (NCCP)
- National Network for Immigrant and Refugee Rights (NNIRR)
- Nepal Labour Foundation (NLF)
- Network of Migration Research on Africa (NOMRA)

- Casa Del Migrante Scalabrini A.C.
- Casa Monarca. Humanitarian Aid for Migrants
- Center for Migrant Advocacy Philippines (CMA Phils)
- Central American Black Organization (CABO)
- Centre Culturel Africain (CCA)
- Centre for Migration and International Relations (CMIR)
- Centre for Youths Integrated Development (CYID)
- Centre Guide pour la Migration CGTM (CGM/CGTM)
- Centro de los Derechos del Migrante, Inc. (CDM)
- Chambre Transversale des Jeunes Entrepreneurs du Burundi
- Child Development Foundation (CDF)
- CIMIS-Centre for Indian Migrants Studies
- Civil Society Network on Migration and Development (CSOnetMADE)
- Collectif des Communautés Subsahariennes au Maroc CCSM
- Comision de Accion Social Menonita CASM
- Community Development Services (CDS)
- Community Policing Partners for Justice, Security and Democratic Reforms -COMPPART
- Congregation of Our Lady of Charity of the Good Shepherd
- Cordaid
- Cross Regional Centre for Refugees and Migrants
- Danish Refugee Council
- Deepti Bhuban
- Democratic Network for Action (DNA)
- Development Action for Women Network (DAWN)
- Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America
- Dominicans for Justice and Peace (Order of Preachers)
- Edmund Rice International
- El-Mahrousa PDS
- EMCEMO
- Enda Prospectives Dialogues Politiques (Enda Diapol)
- NGO Committee on Migration
- Nirupoma Foundation
- OCASI-Ontario Council of Agencies Serving Immigrants
- One Third
- ONG JFD Jeunesse Femme Developpement
- ONG Panafricaine Pour L'education Au Développement Durable
- ONG UN Monde Avenir
- Organisation for Early Childhood Education (OMEP)
- Othernews
- Outreach Social Care Project- OSCAR
- Ovibashi Karmi Unnayan Program (OKUP)
- OXFAM International
- PA "Human Rights Movement "Bir Duino-Kyrgyzstan" (BDK)
- Pacific Islands Association of Non-Governmental Organisations (PIANGO)
- Partnership for Global Justice
- People Forum for Human Rights (People Forum)
- Perfect Future Foundation
- PICUM - Platform for International Cooperation on Undocumented Migrants
- Policy Analysis and Research Institute of Lesotho (PARIL)
- POURAKHI Nepal
- Poverty Elimination and Community Education (PEACE) Foundation
- PROGRESPECT
- Recherches et Documentation Juridiques Africaines - RDJA - asbl
- Refugees International
- Regional Center for International Development Cooperation (RCIDC)
- Religious of the Sacred Heart of Mary
- Réseau Africain Migration Développement (#RAMD)
- Réseau Des Chercheurs (RECAF) Africaines
- Réseau Marocain Transnational Migration Développement (#RMTMD)
- RPC VENTURES LTD

- Equity and Justice Working Group Bangladesh (EquityBD)
- ERCMOVE
- Espace Médiation (#EsMed)
- FAWCO (Federation of American Women`s Clubs Overseas)
- Federación SOS Racismo
- Federacion Zacatecana A.C.
- Formación y Capacitación A.C.
- Forum des Organisations de Solidarité Internationale Issues des Migrations (FORIM)
- Fraternite Solidarite Jeunesse Cote D'Ivoire, FSJCI
- Friends of the Earth Sierra Leone (FOESL)
- Fundación Alianza por los Derechos, la Igualdad y la Solidaridad Internacional (Alianza por la Solidaridad)
- Fundación ESPERANZA
- Global Coalition on Migration
- Greek Orthodox Archdiocesan Council
- Hna. Maria Arlina Barral Arellano, mscs
- Hope Border Institute/Instituto Fronterizo Esperanza
- HRM "Bir Duino-Kyrgyzstan"
- Human Rights Development Information Center
- Human rights journalists association (HURJA)
- Human Rights Monitor
- Human Support Services
- IMA Research Foundation
- Incitare
- Institute of the Blessed Virgin Mary-Loreto Generalate
- Instituto para las Mujeres en la Migración (IMUMI)
- International Association of Applied Psychology
- International Catholic Migration Commission (ICMC)
- International Commission of Jurists (ICJ)
- International Council of Psychologists
- International Detention Coalition
- International Institute for Human Rights, Environment and Development (INHURED International)
- Sansristi
- Sarvodaya women's movement
- Save the Children
- Save the Climat
- Scalabrini International Migration Network (SIMN)
- Secours Catholique - Caritas France
- Self-Help Development Facilitators (SEDFA)
- Seminario Bautista de México
- Shikkha Shastha Unnayan Karzakram (SHISUK)
- Sisters of Charity Foundation
- Society of Catholic Medical Missionaries
- Society of the Sacred Heart
- Solidarity Center
- SOS Malta
- Stichting Habagat
- Terre des Hommes France
- The Institute of Studies and Outreach about Migration (INEDIM)
- The People for Change Foundation (PFC)
- The Populace Foundation International (TPFI)
- Tich Touch Ltd
- Toronto Moroccan Association
- Trade Union Confederation of the Americas - TUCA/ITUC
- UN MGCY
- Unlad Kabayan Migrant Services Foundation
- VIVAT International
- Vivere
- WARBE Development Foundation
- World Council for Psychotherapy
- Youth Advocacy Nepal (YAN)
- Zimbabwe United Nations Association (ZUNA)